UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,044	01/28/2004	Michael J. Freeman	2050.071US4	9597

44367   7590   06/01/2010
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EXAMINER
CHIN, RICKY

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
06/01/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _12 February 2010_.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-12 and 18-25_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-12 and 18-25_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

1.   This application discloses and claims only subject matter disclosed in prior

application no. 08/815,168 filed on 3/11/1997 and 08/598,382 filed 02/08/1996, and

names an inventor or inventors named in the prior application. The elements used in

this application such as URL, internet address, Web, internet, and graphic signals could

not be found anywhere in any prior applications of 08/443,607; 08/166,608 and

07/797,298. Therefore, the effective filing date of the instant application is February 8,

1996. Applicant argues that Patent No. 5,724,091 discloses audio signals as well as

additional content incorporated by reference. The examiner agrees, however, features

such as URL's and graphic signals are still not disclosed or incorporated by reference in

Patent No. 5,724,091. Therefore, the effective filing date of the instant application is

February 8, 1996.

Response to Arguments

2.   Applicant's arguments filed February 12, 2010 have been fully considered. With

respect to Harper et al., US 5,585,858, the arguments are not persuasive. Applicant

argues that Harper does not teach of wherein the interactive program comprises a

plurality of digitally compressed video signals and therefore also does not teach of a

microprocessor to select at least one of the video signals or a decompressor/decoder to

decompress the selected at least one video. The examiner respectfully disagrees. It is

noted that Harper teaches of a single video signal. However, Harper also discloses that

such interactive programming may include a plurality of video signals (See col. 5 lines 33-45). Therefore, Harper also anticipates a microprocessor to select at least one of the video, audio, or graphic signal (See col.7 lines 1-10; col.7 lines 58-67 and col.8 lines 1-37) and of a decompressor/decoder, to decompress the selected at least one video, audio, or graphic signal (See fig.5 and col.13 lines 22 -37). Hence, the arguments pertaining to Harper are not persuasive.

Moreover, applicant argues that the combination of Bennett and Harper alone or in combination do not teach the recited claim limitations (Specifically, a plurality of digitally compressed video signals, a microprocessor to select at least one of the video signals or a decoder to decompress the selected at least one video). However, as discussed above, Harper clearly discloses of the recited claim limitations. Moreover, applicant further argues that Bennett is not in an analogous art since Bennett does not teach of how to transmit multiple related video signals to a receiver for access and viewing by a user and does not teach of the applicants' claimed elements. The examiner respectfully disagrees. Bennett is directed towards providing program interactivity capable of allowing a user via an interface to be able to select different camera views of a program. Therefore, Bennett is in the same field of endeavor, as in Harper and of the applicants claimed invention as they seek to provide interactivity of programming to a user via an interface capable of providing different videos and camera angles upon user selection. Moreover, not only does Bennett teach of uploading the video camera images to the headend but he also teaches of distributing the video to the receiving monitors, (See Fig.1B, 133 which discloses the cable distribution system). Therefore, it would also have

been obvious to have incorporated a distribution system such as disclosed in Harper as

to distribute the signals. Even more so, applicant merely claims that the first input

receives interactive programming comprising a stream of said plurality of digitally

compressed video, audio, branching codes and graphics signals which also does not

specifically describe how to transmit the multiple related video signals to a receiver.

Therefore, the arguments are not persuasive as Bennett is clearly in the same field of

endeavor/analogous art and teaches of transmitting the multiple video signals to a

receiver via a distribution center whereby distributing signals comprising a stream of a

plurality of digital video, audio, graphic, and branching codes is known in the art as

disclosed by Harper.

With respect to Harper et al., WO 1995/028804, the arguments are persuasive

since Harper does not disclose wherein the interactive program comprises of a plurality

of video signals.

Thus, for the reasons stated above, the rejections are maintained.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

> a) the invention was known or used by others in this country, or patented or described in a printed
> publication in this or a foreign country, before the invention thereof by the applicant for a patent.

> (e) the invention was described in-
> (1) an application for patent, published under section 122(b), by another filed in the United States before the
> invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in

the United States before the invention by the applicant for patent, *except* that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

4.   Claims 1-7 rejected under 35 U.S.C. 102(e) as being anticipated by Harper et al., US 5,585,858.

Regarding claim 1, Harper discloses an interactive digital programming system (See Abstract), said interactive programming system comprising:

a viewer television reception system to receive interactive programming (See col.2 lines 45-60), the interactive programming comprising a plurality of digitally compressed video, audio, branching codes and graphics signals (See col.4 lines 17-35 and col.9 lines 30-45), the reception system comprising:

a first input, to receive interactive programming comprising a stream of said plurality of digitally compressed video, audio, branching codes and graphics signals (See col.9 lines 46- col.10 lines 55 which discloses the interactive program box in which the subscriber receives the input of a stream comprising of the digitally compressed signals);

a viewer interface to receive user input from a viewer, said user input from said viewer requested as an interrogatory when an interactive program begins or when said viewer first tunes in said interactive program (See col.8 lines 15- col.9 lines 45 and col. 6 lines 1-8 which discloses the interrogatories requesting at the program beginning or when the viewer first tunes to said program);

a microprocessor, responsive to the viewer interface, to select input and direct a switch to the selected at least one video, audio, or graphics signals, the selection of

the selected at least one video audio, or graphics signal a function of the branching

codes and the input from the viewer (See col.7 lines 1-10; col.7 lines 58-67 and col.8

lines 1-37);

a decompressor/decoder, to decompress the selected at least one video,

audio, or graphics signals (See fig.5 and col.13 lines 22 -37); and

an encoder to output the selected at least one video, audio, or graphics signal

(See col.22 lines 7-50).

Regarding claim 2, Harper teaches the interactive digital programming system as

set forth in claim 1, further he teaches of wherein the plurality of digitally compressed

video signals from said first input corresponds to different predetermined camera angles

of an event (See col. 30 lines 6-67).

Regarding claim 3, Harper teaches the interactive digital programming system as

set forth in claim 1, further he teaches of wherein the microprocessor selects one of the

graphics signals at a predetermined time (See col.5 lines 60-65 which discloses

predetermined times), the selection of the graphics signal as function of the branching

codes and the input from the viewer (See col.6 lines 1-10 and col.7 lines 34-51 which

discloses the selection being a function of the branching codes and input from the

viewer), and further comprising an encoder, connected to the microprocessor, for

presenting the selected graphics signal on a display (See col.9 lines 1-14).

Regarding claim 4, Harper teaches the interactive digital programming system as set forth in claim 1, further he teaches of wherein at least one interrogatory to the viewer, the content of the interrogatory involving program options (See col. 2 lines 55-67), and the input from the viewer correspond to collected input from the viewer via the viewer interface in response to the interrogatories (See col.2 lines 45-60).

Regarding claim 5, Harper discloses an interactive digital programming system (See Abstract), said interactive programming system comprising:

a viewer television reception system to receive interactive programming, the interactive programming comprising a plurality of digitally compressed video, audio, branching codes and graphics signals(See col.9 lines 46- col.10 lines 55 which discloses the interactive program box in which the subscriber receives the input of a stream comprising of the digitally compressed signals), the reception system comprising:

a first input, said first input to receive said interactive programming comprising a stream of said plurality of digitally compressed video, audio, branching codes and graphics signals(See col.9 lines 46- col.10 lines 55 which discloses the interactive program box in which the subscriber receives the input of a stream comprising of the digitally compressed signals);

memory, said memory to store a set of answers from a viewer to an interrogatory (see col. 2 lines 45-61), said interrogatory presented when an interactive

program begins or when said viewer first tunes into said interactive program (See col.8

lines 15- col.9 lines 45 and col. 6 lines 1-8 which discloses the interrogatories

requesting at the program beginning or when the viewer first tunes to said program);

a microprocessor, to select at least one of the video, audio, or graphics signals,

the selection of the selected at least one video audio, or graphics signal a function of

the branching codes and the stored set of answers (See col.7 lines 1-10; col.7 lines 58-

67 and col.8 lines 1-37);

a decompressor/decoder, to decompress the selected at least one video,

audio, or graphics signals (See fig.5 and col.13 lines 22 -37); and

an output circuit to output the selected at least one video, audio, or graphics

signal (See col.22 lines 7-50).

Regarding claim 6, the claim has been analyzed and rejected for the same

reasons set forth in the rejection of claim 2.

Regarding claim 7, the claim has been analyzed and rejected for the same

reasons set forth in the rejection of claim 3.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bennett, US 5,068,733 in view of Harper et al., US 5,585,858.

Regarding claim 1, Bennett discloses an interactive programming system (See Abstract), said interactive digital programming system comprising: a viewer television reception system to receive interactive programming (col.1 lines 59-69), the interactive programming comprising a plurality of video, audio (col. 1 lines 33-47); a viewer interface to receive user input from a viewer (col.1. lines 59-68);

a first input, to receive interactive programming comprising a stream of said plurality of video, audio, and graphics signals (col.1 lines 59-68);

a microprocessor responsive to the viewer interface, to select at least one of the video, audio, or graphics signals from said first input and direct a switch to the selected at least one video, audio, or graphics signals (col.2 lines 18-54 which discloses video and audio switchers); a means for displaying the selected video signal (col. 2 lines 41-60); and an encoder to output the selected at least one video, audio, of graphics signals (col.2 lines 41-60).

Bennett does not explicitly teach of branching codes, digital video/audio, and graphics signals which are digitally compressed, decompressor/decoder, connected to the demultiplexer for decompressing the demultiplexed selected at least one video,

audio, or graphics signals; and said user input from said viewer requested as an

interrogatory when an interactive program begins or when said viewer first tunes in said

interactive program. OFFICIAL NOTICE is taken by the examiner to note that a

decompressor/decoder is notoriously well-known in the art and would have been

obvious to one of ordinary skill in the art to have implemented a decoder for the mere

benefit of being able to reproduce and display the digital video and audio.

Furthermore, Harper discloses digital audio/video (Abstract) being digitally

compressed (Fig.10 , elements 500 and 504), branching codes and graphics signals,

the reception system comprising (Col. 7 lines 11-51);the selection of the video and

audio signals and the predetermined time of each selection a function of the branching

codes and the received viewer entries (col. 8 lines 15-33); and said user input from said

viewer requested as an interrogatory when an interactive program begins or when said

viewer first tunes in said interactive program (See Harper, col. 6 lines 1-7 which

discloses the interrogatory being presented at the onset of the program for viewer

response)

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have combined the teachings of Bennett to incorporate digitally

compressed video, audio, graphics, and branching codes and said user input from said

viewer requested as an interrogatory when an interactive program begins or when said

viewer first tunes in said interactive program as taught by Harper to provide a fuller

interactivity and convenience for the user to the system with regards to available

content being capable of being received by viewer entry as well acknowledging to the

user the content being made available as soon as possible.

Regarding claim 2, the combination teaches all the claim limitations of the

interactive digital programming system of claim 1, further the combination teaches of

wherein the plurality of digitally compressed video signals from said first input

([Harper],Fig. 4, 320) corresponds to different predetermined camera angles of an event

([Bennett], col.1, lines 59-69).

Regarding claim 3, the combination teaches all of the claim limitations of the

interactive digital programming system of claim 1, further the combination teaches of

wherein the microprocessor selects one of the graphics signals (trigger points) at a

predetermined time, the selection of the graphics signal a function of the branching

codes and the input from viewer, and further comprising an encoder means, connected

to the microprocessor, for presenting the selected graphics signal on a display

([Harper], col. 15, lines 48 to col. 16, lines 1-25 and col. 18. lines 60- col. 19 lines 1-20).

Regarding claim 4, the combination teaches all of the claim limitations of the

interactive digital programming system of claim 1, further the combination teaches of at

least one interrogatory to the viewer, the content of the interrogatory involving program

options, and the input from the viewer correspond to collected input from the viewer via

the viewer interface in response to the interrogatories ([Bennett], col.3 lines 5-11).

Regarding claims 5-7, the claims has been analyzed and rejected using the same

rationale of claims 1-3. Furthermore, the combination teaches of a memory, said

memory to store a set of answers from a viewer to an interrogatory, said interrogatory

presented when an interactive program begins or when said viewer first tunes into said

interactive program (See Harper, col. 7 lines 1-10 and col. 8 lines 50-62 which discloses

storing answers to past interrogatories in memory and using logic and algorithms to

determine the trigger points).

7.   Claims 8-12 and 18-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bennett, US 5,068,733, in view of Harper et al., US 5,585,858, an

din further view of Wolzien, US 5,761,606.

Regarding claim 8, Bennett discloses an interactive programming system (See

Abstract), said interactive digital programming system comprising: a viewer television

reception system to receive interactive programming (col.1 lines 59-69), the interactive

programming comprising a plurality of video, audio (col. 1 lines 33-47); a viewer

interface to receive user input from a viewer (col.1. lines 59-68);

a first input, said first input interactive programming comprising a stream of said plurality

of video, audio, and graphics signals (col.1 lines 59-68);

a microprocessor connected to the viewer interface, to select at least one of the video, audio, or graphics signals from said first input and direct a switch to the selected at least one video, audio, or graphics signals (col.2 lines 18-54 which discloses video and audio switchers); and an output circuit to output the selected at least one video, audio, of graphics signals (col.2 lines 41-60).

Bennett does not explicitly teach of branching codes, digital video/audio, and graphics signals which are digitally compressed; and said user input from said viewer requested as an interrogatory when an interactive program begins or when said viewer first tunes in said interactive program. OFFICIAL NOTICE is taken by the examiner to note that a decompressor/decoder is notoriously well-known in the art and would have been obvious to one of ordinary skill in the art to have implemented a decoder for the mere benefit of being able to reproduce and display the digital video and audio.

Furthermore, Harper discloses digital audio/video (Abstract) being digitally compressed (Fig.10 , elements 500 and 504), branching codes and graphics signals, the reception system comprising (Col. 7 lines 11-51);the selection of the video and audio signals and the predetermined time of each selection a function of the branching codes and the received viewer entries (col. 8 lines 15-33); and said user input from said viewer requested as an interrogatory when an interactive program begins or when said viewer first tunes in said interactive program (See Harper, col. 6 lines 1-7 which discloses the interrogatory being presented at the onset of the program for viewer response)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Bennett to incorporate digitally compressed video, audio, graphics, and branching codes and said user input from said viewer requested as an interrogatory when an interactive program begins or when said viewer first tunes in said interactive program as taught by Harper to provide a fuller interactivity and convenience for the user to the system with regards to available content being capable of being received by viewer entry as well acknowledging to the user the content being made available as soon as possible.

The combination of Bennett and Harper does not explicitly teach of wherein the programming comprises internet addresses. However, in the same field of endeavor, Wolzien discloses a system for providing programming comprising of internet addresses (col. 5 lines 45- col.6 lines 1-18). Therefore, it would have been obvious to one of ordinary skill in at the art at the time of the invention to have combined the teachings of Bennett and Harper of providing compressed video, audio, and graphics signals and to have incorporated a connection to a computer network for receiving video, audio, and graphic signals using said internet addresses as taught by Wolzien to provide fuller interactivity such as receiving supplemental information about content on user request by supplying web addresses.

Regarding claim 9, the combination of Bennett, Harper, and Wolzien disclose the live interactive digital programming system of claim 8, the combination further teaches

of comprising: and a decompressor/decoder, for decompressing the demultiplexed

selected at least one video, audio signals, or graphics signal (See analysis of claim 1).

Regarding claims 10-12 the claims have been analyzed and rejected for the

same reasons set forth in the rejections of claims 2-4.

Regarding claim 18, the combination teaches the system of claim 8, the

combination further teaches of wherein each branching code includes a header to

identify a trigger point in the digitally compressed signals (See Harper, col.8 lines 3-5

which discloses a header for identifying the occurrence of the trigger point).

Regarding claim 19, the combination teaches the system of claim 18, the

combination further teaches of wherein the trigger point is one of multiple triggers

positioned at various points in the interactive programming (See Harper, col. 5 lines 60-

65 which discloses trigger points scattered at various times throughout the program).

Regarding claim 20, the combination teaches the system of claim 8, the

combination further teaches of wherein each branching code further includes a function

identifier to designate the set of executable instructions (See Harper, col.8 lines 5-8

which discloses a function ID for selection of a response).

Regarding claim 21, the combination teaches the system of claim 8, the

combination further teaches of wherein at least one of the branching codes is part of an

authoring language, which is a set of interactive data codes to facilitate an interactive

process (See Harper, col. 13 lines 60-67; col.16 lines 18-35 which discloses that the branch codes are interactive branching commands run by the processor).

Regarding claim 22, the combination teaches the system of claim 8, the combination further teaches of wherein the branching codes are to branch between interactive options and related features (See Harper, col.16 lines 8-24 and col.24 lines 11-20 which discloses branching from a user selection at the beginning of the event from queries to a particular player or sports statistics).

Regarding claim 23, the combination teaches the system of claim 8, the combination further teaches of wherein at least one branching code further includes information of a user profile, the user profile stored in the memory storage unit (See Harper, col.16 lines 25-39; col. 24 lines 10-24; col.12 lines 25-35; and col. 9 lines 30-45 which discloses memory branching to branch to selections made from previous selections made from the viewer which are stored in memory).

Regarding claim 24, the combination teaches the system of claim 23, the combination further teaches of wherein the user profile includes user preferences selected by the user at the onset of the interactive programming (See Harper, col. 9 lines 30-45 which discloses memory for storing previous user inputs to control future selections and col. 8 lines 50-62 which discloses the user inputs being input at the onset of the programming).

Regarding claim 25, the combination teaches the system of claim 23, the combination further teaches of wherein the user preferences selected by the user are in

response to interrogatory messages (See Harper, col. 7 lines 1-10; col. 9 lines 30-45;

and col.8 lines 50-62 which discloses the selections which are stored into memory for

future selection are determined from the responses made from the inputs to the

interrogatory messages).

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

- US 5,729,471 – Fig. 4, Jain teaches a user interface for selecting multiple
   video camera views

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Contact

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ricky Chin whose telephone number is 571-270-3753.

The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew Koenig can be reached on 571-272-7296. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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